

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

EXTENDED STAY, INC. *et al.*,

Debtors.

Chapter 11 Case No. No. 09-13764 (JMP)

(Jointly Administered)

WALKER, TRUESDELL, ROTH &  
ASSOCIATES, as Trustee for and on behalf  
of the EXTENDED STAY LITIGATION  
TRUST,

Adv. Pro. No. 11-2256

Case No. 1:11-cv-05395 (SAS)

HOBART TRUESDELL, as Trustee for and  
on behalf of the Extended Stay Litigation  
Trust, and

THE EXTENDED STAY LITIGATION  
TRUST,

Plaintiffs,

v.

LIGHTSTONE HOLDINGS, LLC,  
LIGHTSTONE COMMERCIAL  
MANAGEMENT, DL-DW HOLDINGS,  
LLC, BHAC CAPITAL IV, LLC, ARBOR  
COMMERCIAL MORTGAGE, LLC, ABT-  
ESI LLC, MERICASH FUNDING, LLC,  
PARK AVENUE FUNDING LLC,  
PRINCETON ESH LLC, BANK OF  
AMERICA, N.A., J.P. MORGAN  
COMMERCIAL MORTGAGE INC.,  
ASHFORD HOSPITALITY FINANCE LP,  
ATLAS VENTURES I LLC, BARTON  
EQUITIES LLC, BK ESH LLC, CL  
VENTURES LLC, DEUCE PROPERTIES  
LIMITED, EBURY FINANCE LIMITED,  
ESH FUNDING LLC, FIF V ESA  
HOLDINGS LLC, FIF V ESA LLC, FOA  
ESH LLC, GF ESH LLC, GRAMERCY  
WAREHOUSE FUNDING IV LLC,

HOSPITALITY F, LLC, JPMORGAN CHASE BANK, N.A., Individually and in its capacity as administrator, J.P. MORGAN CLEARING CORP., LEGACY ESH LLC, LINE TRUST CORPORATION LIMITED, MERRILL LYNCH MORTGAGE LENDING, INC., MERRILL LYNCH & CO., INC, SFF ESH LLC, SW ESH LLC, SL GREEN FUNDING LLC, and WRP ESH LLC, and DOES 1 through 100, inclusive,

Defendants.

**NOTICE OF APPEARANCE**

Please take notice that the undersigned hereby appears as counsel for Plaintiffs Extended Stay Litigation Trust, and Hobart Truesdell and Walker, Truesdell, Roth & Associates, as Trustees of the Extended Stay Litigation Trust. All Notices given or required to be given in this case and all papers filed in this case shall be served upon the undersigned.

I certify that I am admitted to practice in this Court.

Dated: New York, New York  
September 23, 2011

Respectfully submitted,

**BAKER & HOSTETLER LLP**

/s/ Benjamin D. Pergament  
Benjamin D. Pergament  
45 Rockefeller Plaza  
New York, New York 10111  
Telephone: (212) 589-4200  
Facsimile: (212) 589-4201  
bpergament@bakerlaw.com

*Attorneys for Plaintiffs Extended Stay Litigation Trust, and Hobart Truesdell and Walker, Truesdell, Roth & Associates, as Trustees of the Extended Stay Litigation Trust*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing **Notice of Appearance for Benjamin D. Pergament** was filed electronically and served by U.S. First Class mail upon anyone unable to accept electronic filing. Notice of this filing will be sent by email to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF System.

/s/ Benjamin D. Pergament  
Benjamin D. Pergament